

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	
)	08-CR-417
STEFANIE GIESSELBACH,)	
)	Judge Martin C. Ashman
Defendant)	

**MOTION FOR LEAVE TO FILE APPEARANCE AND FOR
PRE TRIAL RELEASE PURSUANT TO 18 U.S.C. 3142(G)**

Now comes the Defendant, Stefanie Giesselbach by and through her attorney, James I. Marcus and seeks pre trial release pursuant to 18 U.S.C. 3142(g) and in support of this motion states as follows:

1. On May 23, 2008, the Defendant Stefanie Giesselbach was presented for an initial appearance before the court.
2. At this appearance, a federal defender was appointed to represent her. Undersigned counsel is Stefanie's attorney, but was unaware of this initial court date because he was out of town.
3. Undersigned counsel seeks leave to file his appearance instanter and for the withdrawal of the previously appointed federal defender.
4. Stefanie resided at 655 W. Irving Park Rd. in Chicago. She was employed by Alfred L. Wolf (ALW), a German company with offices in Chicago. ALW distributed among other items, food products which include honey.
5. Stefanie is a German citizen. Her parents reside in Germany.
6. Stefanie is legally in the United States. She is a non-immigrant who was issued a E1 Visa by Immigration and Customs Enforcement, which will expire on April 24, 2010.
7. Stefanie has no criminal record whatsoever.
8. On March 31, 2008, undersigned counsel contacted the United States Attorney's Office and advised them of his representation of Stefanie. At that time she was not identified as a subject or target of this investigation.
9. On April 1, 2008, undersigned counsel confirmed his earlier conversation with the United States Attorney's Office and advised

them she would be unavailable for service of process. He agreed to accept service on her behalf. (See Exhibit 1)

10. While pre-trial detention has been suggested by the pre-trial services, solely because Stefanie presents a flight risk, their reports fail to consider the following:

- a. Kurt Lercher has agreed to post his condominium as bond to secure Stefanie's release.
- b. Stefanie could be electronically monitored by way of a leg bracelet.
- c. Stefanie could remain under house arrest at the Lercher residence. She would be monitored 24 hours a day by Susan and Kurt Lercher.
- d. Her family and friends in Germany have agreed to post \$100,000 cash.
- e. ALW has agreed to post a surety bond
- f. Stefanie's passport is in the custody of the United States and would remain so until the conclusion of her case.
- g. Stefanie could be ordered to report to pre-trial services on a daily basis.

Respectively Submitted:

 s / James I. Marcus
By: James I. Marcus

James I. Marcus
DZIEDZIAK & MARCUS, PC.
100 West Monroe St., Suite: 309
Chicago, Illinois 60603
Tel: (312) 443-5600

EXHIBIT 1

April 1, 2008

Andrew Boutros
United States Attorney's Office
219 S. Dearborn St., 5th Fl.
Chicago, Illinois 60604

RE: Alfred L. Wolff, Inc.

Dear Mr. Boutros,

Pursuant to our conversation of yesterday's date, this letter will confirm my representation of Stefanie Giesselbach in the aforementioned matter. Because my client will be unavailable for service of process, I will accept service on her behalf.

Should there be an inquiry concerning Ms. Giesselbach, please feel free to contact me.

Sincerely,

James I. Marcus

JIM/asl
Encl.

cc. Stefanie Giesselbach